

DECISION MEMORANDUM

TO: COMMISSIONER ANDERSON
COMMISSIONER HAMMOND
COMMISSIONER LODGE
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL

DATE: MARCH 7, 2023

SUBJECT: IN THE MATTER OF ROCKY MOUNTAIN POWER’S APPLICATION FOR APPROVAL OF THE ASSET TRANSFER AGREEMENT BETWEEN ROCKY MOUNTAIN POWER AND THE CITY OF IDAHO FALLS — BELLIN ROAD #1; CASE NO. PAC-E-23-02.

On February 9, 2023, Rocky Mountain Power, a division of PacifiCorp (“Company”), and the City of Idaho Falls (“City”) (together the “Parties”) applied to the Commission for approval of an Asset Transfer Agreement between the Company and the City (“Application”).¹ As proposed, the Company would transfer service of one-customer to the City. The Application outlines a process whereby the City would purchase certain electric facilities currently owned and used by the Company at a location in the immediate vicinity of Bellin, Road, Idaho Falls, Idaho. The Parties request the Application be processed by Modified Procedure.

STAFF RECOMMENDATIONS

Idaho Code § 61-328 states the Commission “shall issue a public notice and shall conduct a public hearing upon the application” (emphasis added). To fulfill this statutory mandate, Staff recommends the Commission issue a Notice of Application, Notice of Modified Procedure, and Notice of Telephonic Public Hearing. Staff recommends an April 19, 2023, public comment deadline, an April 26, 2023, Party reply comment deadline, and a telephonic public hearing scheduled before the Commission deliberates.

¹ A less redacted copy of the Parties’ Application was filed on February 21, 2023.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application, a Notice of Modified Procedure, and a Notice of Telephonic Public Hearing with an April 19, 2023, public comment deadline, an April 26, 2023, Party reply deadline, and a telephonic public hearing before the Commission deliberates?



Michael Duval
Deputy Attorney General

I:\Legal\ELECTRIC\PAC-E-23-02 Bellin #1\memos\PACE2302_dec_md.docx